



U.S. GENERAL SERVICES ADMINISTRATION
Office of the Inspector General

March 13, 2012

Mr. Jason Smathers
MuckRock News
Dept. MR 1034
P.O. Box 55819
Boston, MA 02205-5819

Re: Freedom of Information Act Request (OIG Tracking Number 12-16)

Dear Mr. Smathers:

This is in response to your letter dated January 20, 2012 to the Office of Government Ethics (OGE), FOIA Officer in which you requested "all OGE Form 202, Notice of Conflict of Interest Referral Form received in calendar year 2011".

While processing your request, OGE discovered documents belonging to the General Service Administration (GSA), Office of Inspector General (OIG). These documents were forwarded to the GSA/OIG to determine whether the documents are subject to disclosure under the FOIA. After careful review, we are releasing the documents with certain information redacted. The redacted information, which relates to personal information regarding persons other than yourself, is being withheld under Exemption 7(C) of the FOIA, 5 U.S.C. §552(b)(7)(C). Release of this information could reasonably be expected to constitute an unwarranted invasion of the personal privacy of the persons mentioned in the records.

You have the right to appeal for disclosure of the information by writing to the Freedom of Information Act Officer, Office of the Inspector General, General Services Administration, Washington, D.C. 20405, within 120 days of your receipt of this letter. The appeal must be in writing and contain a statement of reasons for the appeal. Please enclose copies of your initial request and this response. The envelope and letter should be clearly marked as a "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in dark ink, appearing to read "R. P. Levi".

Richard P. Levi
Counsel to the Inspector General
(FOIA Officer)



OGE Use Only

Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3817. Phone: Associate Director for Program Reviews (202) 482-8270. FAX: (202) 482-8238.

Agency Referring the Case GSA, OIG	Agency Case or Referral Number 11060771	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) <u>Eastern District of MO</u> <input type="checkbox"/> DOJ, other
Date of Referral to DOJ November 3, 2010	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. [REDACTED] GSA, Public Buildings Service, Goodfellow Federal Center, Saint Louis, MO	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**

Federal entity before which representation occurred: _____

Compensated representation on behalf of: _____

Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**

Federal entity before which representation occurred: _____

Representation on behalf of: _____

☐ **18 U.S.C. § 207 (Post-Employment)**

Federal entity before which representation occurred: _____

Representation on behalf of: _____

Was the communication/representation: ☐ oral? ☐ and/or written?

☐ Former employee termination service before January 1, 1991. Check subsections involved:
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)

☐ Former employee termination service on or after January 1, 1991. Check subsections involved:
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**

Does the case involve the financial interest: ☐ of the employee? ☒ of the employee's spouse?

☐ Minor child? ☐ A firm with which the employee was negotiating for employment?

☐ Other? (specify) _____

Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No

Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:

☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) _____

If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**

Type of supplementation (meals, travel, cash, etc.): _____

Value of supplementation: \$ _____

Number of supplements: _____

☐ **Additional Statutes Involved in Conflict of Interest Referrals**

Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No

Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No

Other (list): _____

Agency Contact/Telephone Number

GSA, OIG

Date

August 11, 2011

OGE Form 202 (11/04)